

## Message Text

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ACTION EA-09

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FM AMEMBASSY MANILA

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C O N F I D E N T I A L MANILA 1681

E.O. 11652: GDS

TAGS: ELAB, ORIT, RP

SUBJECT: LABOR UNREST AND STRIKE ACTIVITY

BEGIN SUMMARY: SOME 70 UNIONS HAVE EITHER STAGED STRIKES OR FILED STRIKE NOTICES WITH DOL SINCE START OF YEAR. LARGE PROPORTION STRIKE ACTIONS HAVE BEEN ILLEGAL. ILLEGAL STRIKE TEST CASE BROKE JANUARY 30 AS POLICE AND PC FORCES ROUNDED UP 169 ILLEGAL SIDTOWN STRIKERS AT ATLANTIC GULF AND PACIFIC CO. AND DETAINED THEM AT FORT BONIFACIO. APPEARS THAT DEMONSTRATING WORKERS WISHED PROVOKE TROUBLE, AND LIKELY THAT BUKLURAN DISSIDENT LABOR GROUP WAS ACTIVE BEHIND SCENES. GOP CHOSE TAKE TOUGH STANCE IN ORDER PERHAPS DISSUADE FUTURE ILLEGAL STRIKE ACTIVITY. END SUMMARY.

1. DEPARTMENT OF LABOR (DOL) ESTIMATES ROUGHTLY 70 UNIONS HAVE EITHER STAGED STRIKES OR FILED STRIKE NOTICES (LARGELY INVOLVING NON-STRIKABLE ISSUES) WITH DOL SINCE START OF YEAR. LARGE PROPORTION SCATTERED STRIKE ACTIONS (INVOLVING ESTIMATED 20,000 TO 30,000 WORKERS) HAVE BEEN ILLEGAL AND HAVE DISREGARDED 30-DAY COOLING OFF STIPULATION OF P.D. 823 AS AMENDED. IN FACT THIS GROWING RASH OF ILLEGAL STRIKE ACTIVITY, LABOR SECRETARY BLAS OPLE RECENTLY WARNED AGAINST MASS DISORDERS INSTIGATED FOR POLITICAL REASONS, NOTING THAT SUCH CIVIL DISOBEDIENCE WOULD BE FIRMLY DEALT WITH (SEE MANILA 1007). DOL'S BUREAU OF LABOR RELATIONS AND ITS DIRECTOR, CARMELO NORIEL, HAVE BEEN WORKING OVER-TIME TO "CONCILIATE" DISPUTES THREATENING STRIKES.

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FURTHERMORE, NORIEL RECENTLY ISSUED CLARIFICATION OF

STRIKE GOUNDRULES WHICH STRESSED STRIKE ACTION ONLY VALID IF CALLED AS RESULT "UNRESOLVED ECONOMIC ISSUE IN COLLECTIVE BARGAINING". INCLUDED AS NON-STRIKEABLE ISSUES WERE MONEY CLAIMS ARISING FROM CAB OR DECREES (13TH MONTH BONUS, EMERGENCY ALLOWANCE, ETC.), UNFAIR LABOR PRACTICES, VIOLATIONS OF CBAS, AND INTER OR INTRA-UNION DISPUTES.

2. WHAT COULD BE CHARACTERIZED AS ILLEGAL STRIKE TEST CASE BROKE JANUARY 30 AT ATLANTIC, GULF AND PACIFIC CO., A LARGE MANILA CONSTRUCTION FIRM EMPLOYING WELL OVER 1,000. FOLLOWING BREAKDOWN CONCILIATION ATTEMPT BY NORIEL, POLICE AND PC FORCES ON JANUARY 30 ROUNDED UP 169 STRIKING WORKERS (LARGELY SITDOWN STRIKERS) AND BUSED THEM TO FORT BONIFACIO. DISPUTE INVOLVED INTER-UNION RIVALRY REGARDING NEED FOR CERTIFICATION ELECTION TO DETERMINE UNION BARGAINING REPRESENTATIVE -- A NON-STRIKABLE ISSUE. AS ONE DOL OFFICIAL COMMENTED TO EMBASSY, STRIKE NOT ONLY ILLEGAL BUT ALSO IRRATIONAL, FOR DEMONSTRATING WORKERS (WHO FAVORED ELECTION) WERE AWARE THAT DOL HAD ALREADY RULED IN THEIR FAVOR, AND THAT RULING HAD BEEN UPHELD BY SUPREME COURT DECISION ONLY LAST WEEK.

3. WELL-INFORMED DOL OFFICIAL TOLD LABATT FEBRUARY 2 THAT MAJORITY DEMONSTRATING-WORKERS HAD BELONGED TO OLALIA'S NAFLU UNION, WHICH IN TURN HAS BEEN INVOLVED WITH BUKLURAN DISSIDENT LABOR GROUP (MANILA 1137). HE SAID WORKERS HAD CURSED DIRECTOR NORIEL WHEN HE ATTEMPTED REASON WITH THEM JANUARY 30. "WE AT DOL DON'T MIND" SUCH ATTITUDE, HE COMMENTED, BUT THE MILITARY DOES. DOL SPOKESMAN WENT ON TO SAY THAT SECRETARY OPLE PLANNED MAKE REPRESENTATION TO MILITARY TO RELEASE WORKERS IN TIME FOR CERTIFICATION ELECTION NOW SCHEDULED FEBRUARY 5 AT ATLANTIC GULF. TUCP VICE PRESIDENT GATCHALIAN TOLD EMBASSY FEBRUARY 2 THAT LOCAL OF HIS UNION (PFL) INVOLVED IN DISPUTE, AS WELL AS TWO OTHER TUCP UNION LOCALS. TUCP LOCALS HAD NOT, HOWEVER, JOINT STRIKE ACTIVITY. HE OBJECTED TO DOL BECOMING INVOLVED IN CONCILIATING ILLEGAL STRIKES, AND ALSO DISAPPROVED OF OPLE'S EFFORTS SEEKING RELEASE ARRESTED WORKERS, WHOM HE FELT SHOULD PROPERLY BE PROSECUTED. IF DISSIDENT LABOR GROUPS COULD GET AWAY WITH CONFIDENTIAL

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ILLEGAL STRIKES AND DEMONSTRATIONS, TUCP SHOULD PERHAPS RECONSIDER ITS "LAW-ABIDING STAND".

4. COMMENT. NOT YET KNOWN WHETHER ARRESTED STRIKERS STILL BEING DETAINED AT FORT BONIFACIO, BUT ISSUE "PRACTICALLY SETTLED" ACCORDING DOL. APPEARS THAT DEMONSTRATING WORKERS WISHED PROVOKE TROUBLE, DISREGARDING RULING FAVORABLE THEIR INTERESTS. QUITE LIKELY THAT

BUKLURAN ELEMENTS ACTIVE BEHIND SCENESE AT ATLANTIC GULF,  
AND ACCORDING TO GATCHALIAN, SEN. DIOKNO IS REPPRESENTING  
GALIA'S LOCAL. IN ANY EVENT, GOP CHOSE TAKE TOUGH  
STANCE THIS OCCASION IN ORDER PERHAPS DISSUADE FUTURE  
ILLEGAL STRIKE ACTIVITY.  
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